UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

# NOTICE OF ALLOWANCE AND FEE(S) DUE

22850

1940 DUKE STREET

ALEXANDRIA, VA 22314

7590

10/08/2009

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.

**EXAMINER** KACKAR, RAM N ART UNIT PAPER NUMBER

1792

DATE MAILED: 10/08/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/561,017	12/16/2005	Junichi Arami	283278US26PCT	5969

TITLE OF INVENTION: HEAT TREATMENT APPARATUS

l	APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
	nonprovisional	NO	\$1510	\$300	\$0	\$1810	01/08/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. <u>PROSECUTION ON THE MERITS IS CLOSED</u>. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current **SMALL ENTITY status:** 

A. If the status is the same, pay the TOTAL FEE(S) DUE shown

B. If the status above is to be removed, check box 5b on Part B -Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

### PART B - FEE(S) TRANSMITTAL

## Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

Commissioner for Patents P.O. Box 1450

Alexandria, Virginia 22313-1450 (571)-273-2885 or <u>Fax</u>

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for

maintenance fee notifications. Note: A certificate of mailing can only be used for domestic mailings of the CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address) Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission. 22850 10/08/2009 Certificate of Mailing or Transmission OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L. Phereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below. 1940 DUKE STREET ALEXANDRIA, VA 22314 (Depositor's name (Signature (Date APPLICATION NO. FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. FILING DATE 10/561,017 12/16/2005 Junichi Arami 283278US26PCT 5969 TITLE OF INVENTION: HEAT TREATMENT APPARATUS APPLN. TYPE SMALL ENTITY ISSUE FEE DUE PUBLICATION FEE DUE PREV. PAID ISSUE FEE TOTAL FEE(S) DUE DATE DUE nonprovisional NO \$1510 \$300 \$0 \$1810 01/08/2010 **EXAMINER** ART UNIT CLASS-SUBCLASS KACKAR, RAM N 1792 118-725000 1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). 2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. or agents OR, alternatively, (2) the name of a single firm (having as a member a ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required. registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment. (A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY) 4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above) 4a. The following fee(s) are submitted: lssue Fee A check is enclosed. Publication Fee (No small entity discount permitted) Payment by credit card. Form PTO-2038 is attached. The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_\_ (enclose an extra copy of this fo Advance Order - # of Copies \_ (enclose an extra copy of this form). 5. Change in Entity Status (from status indicated above) a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ■ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2). NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office. Authorized Signature Date Typed or printed name Registration No. This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO. CONFIRMATION N		
10/561,017	12/16/2005	Junichi Arami 283278US26PCT		5969	
22850 7590 10/08/2009			EXAMINER		
OBLON, SPIVA	K, MCCLELLAND	KACKAR, RAM N			
1940 DUKE STREET					
ALEXANDRIA, VA 22314		1792			
			DATE MAILED: 10/08/2009		

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

	Application No.	Applicant(s)	
Interview Summary	10/561,017	ARAMI, JUNICHI	
interview Summary	Examiner	Art Unit	
	Ram N. Kackar	1792	
All participants (applicant, applicant's representative, PTO	personnel):		
(1) <u>Ram N. Kackar</u> .	(3)		
(2) <u>Ron Rudder</u> .	(4)		
Date of Interview: 24 September 2009.			
Type: a)⊠ Telephonic b)⊡ Video Conference c)⊡ Personal [copy given to: 1)⊡ applicant 2	r)∏ applicant's representative	e]	
Exhibit shown or demonstration conducted: d) Yes If Yes, brief description:	e)⊠ No.		
Claim(s) discussed: <u>4 and 6</u> .			
Identification of prior art discussed: <u>yes</u> .			
Agreement with respect to the claims f)⊠ was reached. g	)∏ was not reached. h)∏ N	I/A.	
Substance of Interview including description of the general reached, or any other comments: <u>Applicant agreed for the agreed f</u>			was
(A fuller description, if necessary, and a copy of the amend allowable, if available, must be attached. Also, where no callowable is available, a summary thereof must be attached.	opy of the amendments that w		
THE FORMAL WRITTEN REPLY TO THE LAST OFFICE A INTERVIEW. (See MPEP Section 713.04). If a reply to the GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER INTERVIEW DATE, OR THE MAILING DATE OF THIS INTIFILE A STATEMENT OF THE SUBSTANCE OF THE INTERPROPERTY.	last Office action has already OF ONE MONTH OR THIRTY ERVIEW SUMMARY FORM, V	been filed, APPL / DAYS FROM TI WHICHEVER IS	LICANT IS HIS

### **Summary of Record of Interview Requirements**

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

# Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner.
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
  - (The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### **Examiner to Check for Accuracy**

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Application No.	Applicant(s)	
10/561 017	ARAMI JUNICHI	
Examiner	Art Unit	
Ram N. Kackar	1792	
(OR REMAINS) CLOSED in or other appropriate commu	nthis application. If not included unication will be mailed in due course	
<u>)</u> .		
e been received. e been received in Application cuments have been received of this communication to file IENT of this application. eitted. Note the attached EXA es reason(s) why the oath of the submitted. con's Patent Drawing Review	n No  If in this national stage application from this national stage application from a reply complying with the requirem AMINER'S AMENDMENT or NOTICE declaration is deficient.	ents
he header according to 37 CF sit of BIOLOGICAL MATI	R 1.121(d). ERIAL must be submitted. Note th	
6. ⊠ Interview S Paper No. 7. ⊠ Examiner's	ummary (PTO-413), Mail Date <u>9/24/2009</u> . Amendment/Comment	<b>)</b>
	Examiner  Ram N. Kackar  Pars on the cover sheet wing (OR REMAINS) CLOSED in corother appropriate communication is said MPEP 1308.  Part of this application is said MPEP 1308.  Part of this communication to fill been received in Application cuments have been received been received in Application.  Part of this application is and the part of this application is and the part of this application.  Part of this application is and the part of t	ARAMI, JUNICHI  Examiner  Ram N. Kackar  1792  Pars on the cover sheet with the correspondence address (OR REMAINS) CLOSED in this application. If not included or other appropriate communication will be mailed in due course (GHTS. This application is subject to withdrawal from issue at the and MPEP 1308.  Adder 35 U.S.C. § 119(a)-(d) or (f).  The been received.  The been received in Application No.  Tournents have been received in this national stage application from this communication to file a reply complying with the requirem ENT of this application.  Adder 35 U.S.C. § 119(a)-(d) or (f).  The been received in Application No.  Tournents have been received in this national stage application from the series of this application.  The state of this application is deficient.  The submitted.  The submitted.  The submitted.  The submitted on's Patent Drawing Review (PTO-948) attached  The submitted.  The submitted of the drawings in the front (not the back) are header according to 37 CFR 1.121(d).  The sit of BIOLOGICAL MATERIAL must be submitted. Note the header according to 37 CFR 1.121(d).  The DEPOSIT OF BIOLOGICAL MATERIAL  The DEPOSIT OF BIOLOGICAL MATERIAL.  The DEPOSIT OF BIOLOGICAL MATERIAL.  The DEPOSIT OF BIOLOGICAL MATERIAL.  The DEPOSIT OF BIOLOGICAL MATERIAL.

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## **DETAILED ACTION**

## Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/31/2009 has been entered and further amended as below.

### **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Claims 4 and 6 are further amended as below:

## Claim 4 is amended as below:

A mounting table <u>for holding a target object</u>, comprising:

a heating unit including a reflector plate made of an opaque quartz, and a quartz tube welded to a surface of the reflector plate, and

a mounting table cover member <u>having an open cylindrical shape with a closed upper</u>
<u>surface and a peripheral sidewall, and installed to cover the reflector plate with said peripheral</u>

sidewall extending along an outermost surface of the reflector plate to a position at a base of the

Page 3

reflector plate, [[a]] the target object being mounted thereon,

wherein the mounting table cover member is made of a light absorbing material, and a

carbon wire which generates heat when a current is applied thereto is disposed between the

reflector plate and the mounting table cover member,

wherein the mounting table cover member has a circular lid shape and an inner surface of

a sidewall of the mounting table cover member has a diameter greater than a diameter of the

reflector plate so that the inner surface of the sidewall of the mounting table cover member is in

contact with a side surface of the reflector plate to be circumscribed thereto, and

wherein a positioning projection having a ring-shape and made of a same material as that

of the reflector plate is provided in an upper direction at a peripheral region of the reflector plate

to form a component of the outermost surface of the reflector plate and positions the mounting

table cover member which is inserted by the positioning projection, the positioning projection

contacting with the mounting table cover member.

Claim 6 is amended as below:

A heat treatment apparatus for treating a target object, comprising:

a mounting table including a heating unit having a reflector plate made of an opaque

quartz, and a quartz tube welded to a surface of the reflector plate; a mounting table cover

member having an open cylindrical shape with a closed upper surface and a peripheral sidewall,

and installed to cover the reflector plate with said peripheral sidewall extending along an

outermost surface of the reflector plate to a position at a base at a base of the reflector plate, [[a]]

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the target object being mounted thereon, wherein the mounting table cover member is made of a light absorbing material, and a carbon wire which generates heat when a current is applied thereto is disposed between the reflector plate and the mounting table cover member;

a processing chamber accommodating therein the mounting table; a gas supply unit for supplying a gas in the processing chamber; and a vacuum pumping system for evacuating the processing chamber,

wherein the mounting table cover member has a circular lid shape and an inner surface of a sidewall of the mounting table cover member has a diameter greater than a diameter of the reflector plate so that the inner surface of the sidewall of the mounting table cover member is in contact with a side surface of the reflector plate to be circumscribed thereto, and

wherein a positioning projection having a ring-shape and made of a same material as that of the reflector plate is provided in an upper direction at a peripheral region of the reflector plate to form a component of the outermost surface of the reflector plate and positions the mounting table cover member which is inserted by the positioning projection, the positioning projection contacting with the mounting table cover member.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Ron Rudder on 9/24/2009.

## 3. Claims 4-8, 15, 17-18 and 23-26 are allowed.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ram N. Kackar whose telephone number is 571 272 1436. The examiner can normally be reached on M-F 8:00 A.M to 5:P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Parviz Hassanzadeh can be reached on 571 272 1435. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ram N Kackar/ Primary Examiner, Art Unit 1792